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| U.S. APPLICATION NO. 09/868029 | FIRST NAMED APPLICANT MIYAZAKI | ATTY. DOCKET NO. 725463012 |
| O I P E SEP 23 2002 PATENT & TRADEMARK OFFICE | | |
| INTERNATIONAL APPLICATION NO. PCT/JP00/08019 | | |
| I.A. FILING DATE 14 NOV 00 | PRIORITY DATE 14 NOV 99 | |
| DATE MAILED: 01 AUG 2001 | | |

JAY H MAIOLI
COOPER & DUNHAM
1185 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

AUG 3 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☒ a Designated Office (37 CFR 1.494) ☐ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
 - ☒ Copy of the international application.
 - ☐ Oath or Declaration of inventors(s).
 - ☐ Copy of Article 19 amendments.
 - ☒ Priority Document.
 - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
 - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
 - ☐ Indication of Small Entity Status.
 - ☒ Translation of the international application into English.
 - ☐ Translation of Article 19 amendments into English.
 - ☐ Other:
2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- ☐ U.S. Basic National Fee.
 - ☐ Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

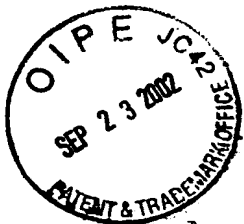
Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

- Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☐ PCT/DO/EO/920

FORM PCT/DO/EO/905 (March 2001)

Winston M Alvarado
Telephone: 703-305-6421



7254/63012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shuichi Miyazaki et al.
Serial No.: 09/868,029
Filed : June 13, 2001
For : PORTABLE RECORDING AND/OR REPRODUCING
DEVICE, REPRODUCING METHOD, AND
RECORDING/REPRODUCING METHOD
Attention : Customer Service Center
Initial Patent Examination Division

I hereby certify that this paper is being
deposited this date with the U.S. Postal
Service in first class mail addressed to
Assistant Commissioner for Patents, Box PCT,
Washington, D.C. 20231.

Jay H. Maioli
Reg.No. 27,213

Date
September 17, 2002

September 17, 2002
1185 Avenue of the Americas
New York, NY 10036
(212) 278-0400

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 USC 371 IN THE DO/EO/US

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Sir:

In response to the Notification of Missing
Requirements under 35 USC 371 mailed August 1, 2001.
Applicants hereby submit a newly executed Declaration that
identifies the above application by serial number and filing
date.

The required surcharge is also submitted herewith
along with a copy of the subject Notice.

09/25/2002 MKAYPAGH 00000035 09868029

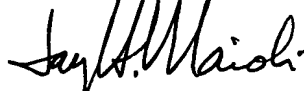
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Accordingly, it is respectfully submitted that all elements of the application have now been filed and an early and favorable examination on the merits is earnestly solicited.

Respectfully submitted,

COOPER & DUNHAM LLP

A handwritten signature in dark ink, appearing to read "Jay H. Maioli", is written over the printed name.

Jay H. Maioli
Reg. No. 27,213

File: 7254/63012
JHM:ma
Enc.